

NOTICE OF VIOLATION - FAILURE TO ENROLL UNDER AG WAIVER ORDER #R3-2004-0117, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM IRRIGATED LANDS

The Central Coast Regional Water Quality Control Board has started issuing Notice of Violations to operations that have failed to enroll under the Ag Waiver. Identified operations were sent a Request for Information letter, pursuant to Water Code sections 13260 and 13267, and are now receiving a Notice of Violation letter because they failed to respond or have failed to submit a Notice of Intent (NOI) application for the Conditional Waiver for Irrigated Lands. The Conditional Waiver for Irrigated Lands requires that commercially, irrigated farming operations submit a NOI application on or

before January 1, 2005, pursuant to Resolution No. R3-2004-0117, issued on July 9, 2004. To date we have not received an NOI application for some of the identified operations. Failure to comply within 30 days of the Notice of Violation letter date may subject these operations to assessment of civil monetary penalties.

Operations that receive a Notice of Violation are required to do one of the following immediately:

1. If an operation is a commercially irrigated farming operation and subject to enrollment and has not been enrolled in the Waiver - Submit a complete enrollment application to the Central Coast Water Board, including a signed NOI, ranch information pages, and farm water quality management practices checklist. Copies of the Ag Waiver Order and associated Monitoring and Reporting Program are available on the Water Board website at www.waterboards.ca.gov/centralcoast or will be provided upon request.
2. If an operation is NOT a commercially irrigated farming operation – Submit a letter describing why their operation is exempt from regulation under the Ag Waiver program. They must include as much information as possible to substantiate the claim. Submit the letter to the attention of Elaine Sahl at the letterhead address above.
3. If a complete application to Central Coast Water Board was submitted and our records are in error - Submit a copy of your Notice of Intent and Agricultural Waiver Identification Number (AW#) or contact us immediately. The Central Coast Water Board has the authority under Sections 13261 and 13268 of the California Water Code to assess administrative civil liability in an amount of up to \$1,000 for each day of violation of the due date, established in our Request for Information letter. The Central Coast Water Board reserves the right to take any enforcement actions necessary as allowed by law.

If you have any questions regarding the Notice of Violations please contact:

Elaine Sahl at (805) 542-4645 or by email at esahl@waterboards.ca.gov Peter Meertens at (805) 549-3869 or by email at pmeertens@waterboards.ca.gov Para información en español, llame a Hector Hernandez at (805) 542-4641.